

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 78-37

GUAM LAND-USE POLICIES

WHEREAS, Public Law 12-200 requires as part of the Comprehensive Development Plan, a statement of specific policies for at least each of the following areas: social and human resource development, natural resource development, and utilization of environmental protection and quality, historical and cultural heritage preservation; and

WHEREAS, the Comprehensive Development Plan, as now completed by the Bureau of Planning embodies such specific policies; and

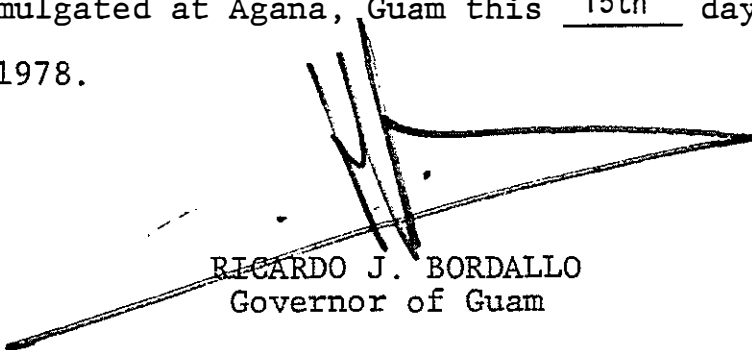
WHEREAS, prompt implementation of these policies is a desirable supplement to the land use districting system as established under Executive Order 78-23; and

WHEREAS, implementation of such policies at this time will facilitate federal approval of Guam's Coastal Management Program; and


WHEREAS, future federal funding of Guam's Coastal Management Program is contingent upon such approval;

NOW, THEREFORE, I, RICARDO J. BORDALLO, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby order the following policies, as embodied in the Guam Comprehensive Development Plan, to be implemented by all agencies and instrumentalities of the Government of Guam within the scope of their authorities.

Signed and promulgated at Agana, Guam this 15th day of November, 1978.


RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:


RUDOLPH G. SABLAN
Lieutenant Governor

A. Governmental Processes Policy

More effective administration of natural resource related laws, programs, and policies shall be achieved through:

- . revision of unclear and outdated laws and regulations,
- . improved coordination among local agencies,
- . improved coordination between territorial and federal agencies,
- . educational and training programs for local government personnel, and refinement of supporting technical data.

B. Development Policies

1. Shore Area Development

Only those uses shall be located within the Seashore Reserve which: (1) enhance, are compatible with or do not generally detract from the surrounding coastal area's aesthetic and environmental quality and beach accessibility; or (2) can demonstrate dependence on such a location and the lack of feasible alternative sites.

2. Urban Development

Uses permitted only within Commercial, Multi-Family, Industrial, and Resort-Hotel zones; and uses requiring high levels of support facilities shall be concentrated within urban districts as outlined on the Land-Use Districting Map.

3. Rural Development

Rural districts shall be designated in which only low density residential and agricultural uses will be acceptable. Minimum lot size for these uses should be one-half acre until adequate infrastructure, including functional sewerage, is provided.

4. Major Facility Siting

In evaluating the consistency of proposed major facilities with the goals, policies, and standards of the Comprehensive Development and Coastal Management Plans, the Territory shall recognize the national interest in the siting of such facilities including those associated with electric power production and transmission, petroleum refining and transmission, port and air installations, solid waste disposal, sewage treatment, and major reservoir sites.

5. Hazardous Areas

Identified hazardous lands including floodplains, erosion-prone areas, air installation crash and sound zones and major fault lines shall be developed only to the extent that such development does not pose unreasonable risks to the health, safety, or welfare of the people of Guam, and complies with land-use regulations.

6. Housing

The government shall encourage efficient design of residential areas, restrict such development in areas highly susceptible to natural and manmade hazards, and recognize the limitations of the island's resources to support historical patterns of residential development.

7. Transportation

The Territory shall develop an efficient and safe transportation system while limiting adverse environmental impacts on primary aquifers, beaches, estuaries, and other coastal resources.

8. Erosion and Siltation

Development shall be limited in areas of 15% or greater slope by requiring strict compliance with erosion, sedimentation, and land-use district guidelines, as well as other related land-use standards for such areas.

C. Resource Policies

1. Conservation of Natural Resources - Overall Policy

The value of Guam's natural resources as recreational areas, critical marine and wildlife habitats, the major source of drinking water, and the foundation of the island's economy, shall be protected through policies and programs affecting such resources.

2. Air Quality

All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.

3. Water Quality

Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.

4. Fragile Areas

Development in the following types of fragile areas shall be regulated to protect their unique character: historic and archaeological sites, wildlife habitats, pristine marine and terrestrial communities, limestone forests, and mangrove stands and other wetlands.

5. Living Marine Resources

All living resources within the territorial waters of Guam, particularly corals and fish, shall be protected from over-harvesting and, in the case of marine mammals, from any taking whatsoever.

6. Visual Quality

Preservation and enhancement of, and respect for the island's scenic resources shall be encouraged through increased enforcement of and compliance with sign, litter, zoning, subdivision, building and related land-use laws; visually objectionable uses shall be located to the maximum extent practicable, so as not to degrade significantly views from scenic overlooks, highways, and trails.

7. Recreational Areas

The Government of Guam shall encourage development of varied types of recreation facilities located and maintained so as to be compatible with the surrounding environment and land uses; adequately serve community centers and urban areas, and protect beaches and such passive recreational areas as wildlife and marine conservation areas, scenic overlooks, parks, and historic sites.

8. Public Access

The public's right of unrestricted access shall be ensured to all non-federally owned beach areas and all Territorial recreation areas, parks, scenic overlooks, designated conservation areas and other public lands; and agreements shall be encouraged with the owners of private and federal property for the provision of reasonable access to, and use of, resources of public nature located on such land.

9. Agricultural Lands

Critical agricultural lands shall be preserved and maintained for agricultural use.